

FILED 2021 AUG 24 15:13 USDC-ORP

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION**

UNITED STATES OF AMERICA

3:23-cr-00067-IM

v.

FIRST SUPERSEDING INDICTMENT

**[REDACTED]
FREDRICO WILLIAMS,
LYNISHA WELLS, and
NIKKIA BENNETT,**

18 U.S.C. §§ 1349, 1343, 1956(h)

Forfeiture Allegations

UNDER SEAL

Defendants.

THE GRAND JURY CHARGES:

INTRODUCTION

1. Beginning no later than in January 2021 and continuing until at least March 2022, defendant [REDACTED] and coconspirators, known and unknown, defrauded the Small Business Administration and Capital Plus Financial out of millions of dollars by submitting or causing to be submitted fraudulent applications for Paycheck Protection Program (“PPP”) loans.

2. [REDACTED] conspired with recruiters, including FREDRICO WILLIAMS (“WILLIAMS”) to gather fraudulent business information (including number of employees, average monthly payroll, and operation date) from customers, including LYNISHA WELLS

("WELLS") and NIKKIA BENNETT ("BENNETT"), to submit fraudulent PPP applications on behalf of the customers.

3. [REDACTED], the recruiters, and the customers knew the business information was false, including that many businesses did not exist.

4. [REDACTED] or his coconspirators created fictitious documents to support the fraudulent PPP loan applications, including false payroll information and tax documents.

5. Customers paid recruiters or [REDACTED] for their roles in obtaining the fraudulent loan proceeds.

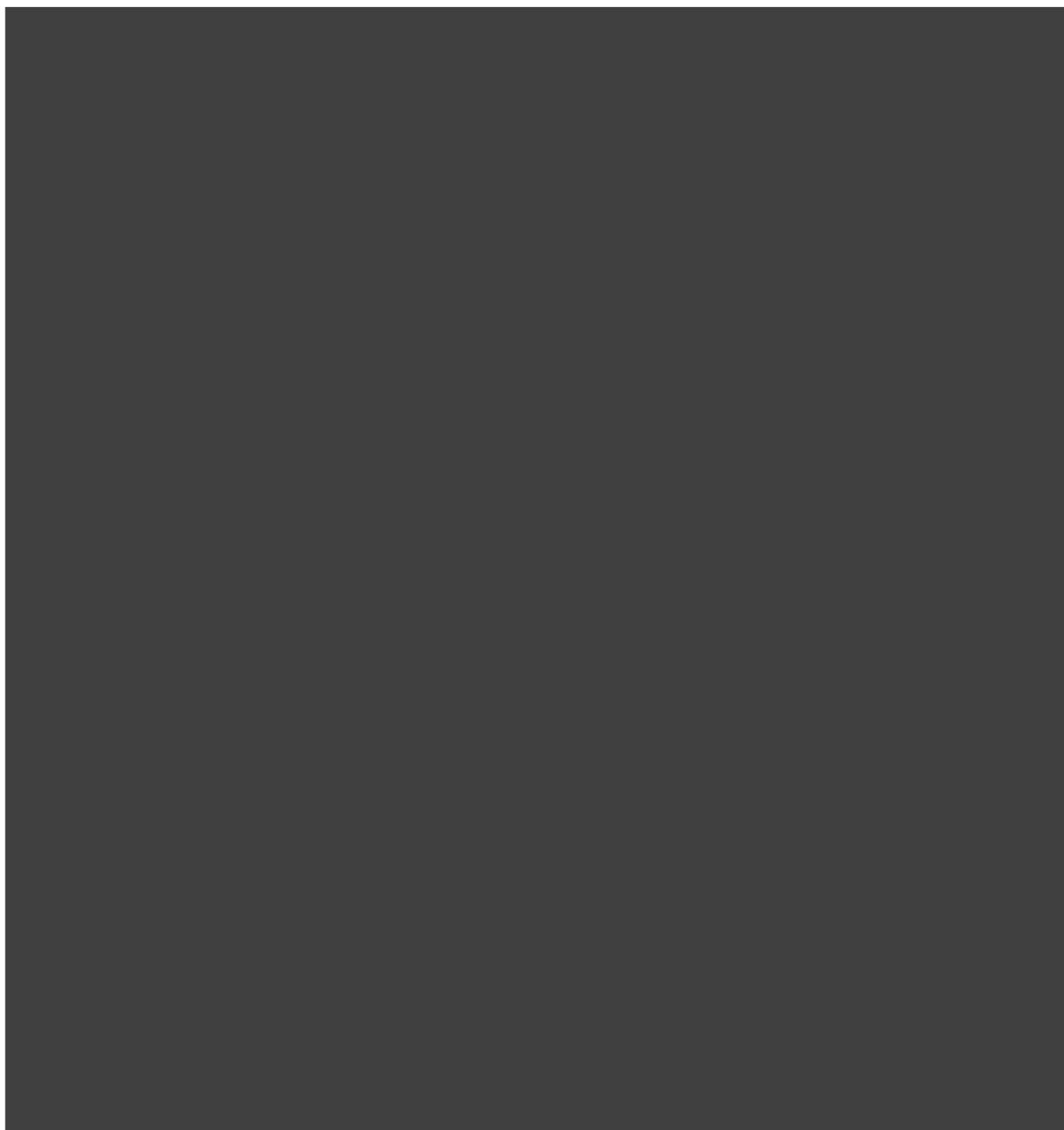
6. In total, [REDACTED] submitted or caused to be submitted at least 1300 applications, which attempted to obtain at least \$178,000,000 in PPP loans.

7. In total, the PPP applications submitted on behalf of BENNETT, [REDACTED], WELLS, and WILLIAMS sought \$3,394,085.48 in PPP loans from Capital Plus Financial.

GENERAL ALLEGATIONS

At times relevant to this First Superseding Indictment:

8. [REDACTED] WILLIAMS, WELLS, and BENNETT resided in California.



FREDRICO WILLIAMS

17. WILLIAMS is the owner of two entities located in California: (a) U.D. Custom Printing (a single member LLC) and (b) Fredrico Williams (a sole proprietorship).

18. WILLIAMS obtained an Employer Identification Number (No. 85-3160203) for U.D. Custom Printing on September 24, 2020.

19. U.D. Custom Printing and Fredrico Williams have never been registered with the California Secretary of State.

20. The only tax return that U.D. Custom Printing filed with the IRS was an IRS Form 941 (Employer's Quarterly Federal Tax Return) for the third quarter of 2021.

21. U.D. Custom Printing did not issue any IRS Forms W-2 or 1099-MISC for 2019, 2020 or 2021, nor did the company issue any IRS Forms 1099-NEC for 2020 or 2021.

22. In U.D. Custom Printing's EIN application, WILLIAMS claimed that the company did not intend to have any employees during the next twelve months.

LYNISHA WELLS

23. WELLS is the owner of two entities located in California: (a) Lynisha T. Wells, d/b/a Shoe Soldier (a sole proprietorship) and (b) Metro Acceszoriez (a single member limited liability company).

24. WELLS obtained an Employer Identification Number (No. 86-2403230) for Shoe Soldier on March 4, 2021.

25. WELLS obtained an Employer Identification Number (No. 86-2484522) for Metro Acceszoriez on March 8, 2021.

26. Shoe Soldier and Metro Acceszoriez have never been registered with the California Secretary of State.

27. Shoe Soldier and Metro Acceszoriez have never filed tax returns with the IRS.

28. Shoe Soldier and Metro Acceszoriez did not issue any IRS Forms W-2 (Wage and Tax Statement) or 1099-MISC (Miscellaneous Information) for 2019, 2020 or 2021, nor did they file any IRS Forms 1099-NEC (Nonemployee Compensation) for 2020 or 2021.

29. In the EIN applications for Shoe Soldier and Metro Acceszoriez, WELLS claimed that the respective companies did not anticipate having any employees over the next twelve months.

NIKKIA BENNETT

30. BENNETT is the sole member of three business entities: (a) Wells Consulting, (b) Be Well with Dr. Wells, and (c) Nikkia Bennett Consulting.

31. BENNETT obtained an Employer Identification Number (“EIN”) (No. 86-2476683) for Wells Consulting on March 8, 2021.

32. BENNETT obtained an Employer Identification Number (No. 86-2374819) for Be Well with Dr Wells on March 3, 2021.

33. BENNETT never obtained an Employer Identification Number for Nikkia Bennett Consulting.

34. Wells Consulting, Be Well with Dr. Wells, and Nikkia Bennett Consulting have never been registered with the California Secretary of State.

35. Wells Consulting, Be Well with Dr. Wells, and Nikkia Bennett Consulting have never filed tax returns with the IRS.

COVID DISASTER RELIEF LOANS

36. On March 27, 2020, President Trump signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act into law. The CARES Act created the Paycheck Protection Program (“PPP”), which authorized the Small Business Administration (“SBA”) to guarantee

loans of up to \$10,000,000 to qualifying employers without collateral or personal guarantees from the borrowers. The Act required lenders making loans under the PPP to defer all repayment obligations for not less than six months on such loans and required borrowers to certify, among other things, that the borrowed “funds [would] be used to retain workers and maintain payroll or make mortgage payments, lease payments, and utility payments.”

37. Pursuant to the CARES Act, the amount of PPP funds a business was eligible to receive was determined by the number of employees employed by the business and their average payroll costs.

38. The PPP allowed qualifying small businesses and other organizations to receive unsecured SBA-guaranteed loans.

39. PPP loan proceeds had to be used by businesses on payroll costs, mortgage interest, rent, and/or utilities, among other specified expenses. The PPP allowed the interest and principal to be forgiven if businesses spent the proceeds on these expenses under certain conditions.

40. Businesses applying for a PPP loan had to provide documentation to confirm that they had in the past paid employees the compensation represented in the loan application.

41. The PPP is overseen and administered by the SBA, which has authority over all PPP loans, but individual PPP loans were issued by approved commercial lenders who received and processed PPP applications and supporting documentation. The SBA paid fees to lending institutions to finance PPP loans.

42. The first round of PPP closed to new applications on August 8, 2020. On December 27, 2020, the Consolidated Appropriations Act of 2021, which included the Economic Aid to Hard-Hit Small Businesses, Nonprofit, and Venues Act (the “Relief Act”) was signed into

law, providing additional funding for the PPP. Under the Relief Act, certain businesses that already obtained a PPP loan under the original PPP were eligible for an additional “second draw” PPP loan, provided they met certain requirements. The Relief Act also re-opened the application period for “first draw” PPP loans to businesses that had not been approved for a “first draw” loan prior to August 8, 2020, or who may have been eligible to receive more funds during the “first draw” period than they actually received. Borrowers through the PPP second draw program are also eligible to apply for loan forgiveness once all loan proceeds for which forgiveness is requested have been used.

43. In order to obtain a PPP loan, an applicant was required to provide business information (including number of employees, average monthly payroll, and operation date). An applicant was required to provide supporting documentation, such as payroll documentation supporting what payroll taxes were reported to the IRS, typically including IRS Forms 940, 941, 1040s, Schedule C’s, W-2s, and W-3s, to corroborate information submitted in the application. The applicant was also required to certify all information in the application was true and correct to the best of the applicant’s knowledge.

44. PPP loan applications were submitted over the Internet by participating lenders via the SBA’s computer servers. PPP loan applications submitted after January 11, 2021, were received by servers in Oregon and then transmitted to servers in Virginia via wire.

45. PPP loan forgiveness applications were submitted over the Internet via the SBA’s computer servers. All PPP loan forgiveness applications were received by servers in Oregon and then transmitted to servers in Virginia via wire.

46. Capital Plus Financial is a lender participating in the PPP.

COUNT 1
(Conspiracy to Commit Wire Fraud)
(18 U.S.C. § 1349)
(ALL DEFENDANTS)

47. The allegations in paragraphs 1 through 46 of this First Superseding Indictment are incorporated as though realleged here.

A. THE SCHEME TO DEFRAUD

48. From no later than on or about January 2021, and continuing through at least on or about March 24, 2022, ██████████ WILLIAMS, WELLS, and BENNETT, and unnamed coconspirators, known and unknown, knowingly conspired, combined, confederated, and agreed with others to devise a scheme to defraud the SBA and Capital Plus Financial and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises.

49. Specifically, ██████████ used recruiters to compile fraudulent business information from customers so ██████████ could submit fraudulent PPP applications to Capital Plus Financial on the customers' behalf.

50. Customers obtained PPP loan proceeds, and paid ██████████ and the recruiter for their role in obtaining the fraudulent loan proceeds.

51. WILLIAMS was one of ██████████ recruiters.

52. WILLIAMS recruited BENNETT and WELLS as customers.

53. WILLIAMS separately paid BENNETT at least \$24,500 for her help in compiling fraudulent business information for customers to further the scheme.

54. In total, [REDACTED] submitted or caused to be submitted at least 1300 applications to Capital Plus Financial, attempting to obtain at least \$178,000,000 in PPP loans for his customers.

55. BENNETT, [REDACTED] WELLS, and WILLIAMS conspired with one another and with unnamed coconspirators to knowingly submit or cause the submission of PPP loan applications using false business information with the intent to steal and to convert the proceeds of those loans for unauthorized purposes, including their personal use.

56. Many of the PPP loans submitted or caused to be submitted to Capital Plus Financial on behalf of BENNETT, [REDACTED] WELLS, and WILLIAMS included [REDACTED] email address (e***@accreditedpci.com) and phone numbers (ending in 3863 or ending in 7773).

57. A DocuSign Globally Unique Identifier (GUID) is a unique identifier associated with the email address of the user electronically signing a document via DocuSign.

58. GUID 7BDE6D965D9D412 (GUID1) is associated with [REDACTED] email address, e***@accreditedpci.com.

59. All of the Promissory Notes for the PPP loan applications submitted or caused to be on behalf of BENNETT, [REDACTED] WELLS and WILLIAMS were signed by GUID1.

60. Most of the PPP loan applications submitted or caused to be submitted to Capital Plus Financial on behalf of BENNETT, [REDACTED] WELLS and WILLIAMS included DocuSign completion certificates signed by GUID1.

61. Most DocuSign completion certificates for the PPP loans submitted or caused to be submitted to Capital Plus Financial on behalf of BENNETT, [REDACTED] WELLS and WILLIAMS originated from Internet Protocol (IP) addresses attributable to [REDACTED]

62. BENNETT, WELLS, and unnamed coconspirators paid WILLIAMS for WILLIAMS'S role in obtaining fraudulent loan proceeds.

63. WILLIAMS paid [REDACTED] and an unnamed coconspirator for [REDACTED] role in obtaining fraudulent loan proceeds.

B. MANNER AND MEANS

It was part of this scheme that:

I. WILLIAMS'S FRAUDULENT PPP LOANS

a. WILLIAMS: PPP – FREDRICO WILLIAMS

64. On or about March 3, 2021, WILLIAMS provided his personal identifying information and business information for “Fredrico Williams” to [REDACTED] for [REDACTED] to submit a fraudulent PPP application on WILLIAMS'S behalf.

65. WILLIAMS agreed to pay [REDACTED] for [REDACTED] role in the scheme.

66. On or about March 4, 2021, [REDACTED] submitted a PPP loan application for “Fredrico Williams” on WILLIAMS'S behalf to Capital Plus Financial (PPP – FREDRICO WILLIAMS). PPP – FREDRICO WILLIAMS was received by servers in Oregon and then transmitted to servers in Virginia.

67. PPP – FREDRICO WILLIAMS listed [REDACTED] email address and a phone number attributable to [REDACTED]

68. The DocuSign Promissory Note in PPP – FREDRICO WILLIAMS was signed by GUID1.

69. In PPP – FREDRICO WILLIAMS, [REDACTED] on behalf of WILLIAMS, knowingly made the following materially false statements and representations in furtherance of obtaining loan proceeds:

- a. Fredrico Williams employed 9 people;
- b. Fredrico Williams had an average monthly payroll of \$59,147; and
- c. Fredrico Williams was established on March 15, 2017.

70. In support of PPP – FREDRICO WILLIAMS, [REDACTED], on behalf of WILLIAMS, submitted what purported to be the IRS Form 940 (Employer’s Annual Federal Unemployment Tax Return) for 2020 WILLIAMS filed with the IRS on behalf of Fredrico Williams, reporting total payments to all employees of \$709,764.35.

71. Based in part on the misrepresentations provided in PPP – FREDRICO WILLIAMS, on or about March 17, 2021, Capital Plus Financial approved and funded PPP loan number 80559785-04 for \$147,712 to WILLIAMS’S Navy Federal Credit Union account.

72. On or about March 19, 2021, WILLIAMS paid [REDACTED] \$2,500 and paid an unnamed coconspirator a \$5,000 for their roles in obtaining the proceeds.

73. After receiving the proceeds of PPP loan number 80559785-04, WILLIAMS spent most of the proceeds on personal expenses, including paying credit card bills and a car loan.

74. On or about March 26, 2021, the SBA paid Capital Plus Financial \$7,386 in lender fees for funding PPP loan number 80559785-04.

75. On or about January 14, 2022, WILLIAMS submitted a forgiveness application for PPP loan number 80559785-04. This forgiveness application was received by servers in Oregon and then transmitted to servers in Virginia.

76. In this forgiveness application, WILLIAMS knowingly made the following materially false statements and representations:

- A. Fredrico Williams had 9 employees at the time of the forgiveness application; and

B. The entire \$147,712 received under PPP loan number 80559785-04 was spent on payroll.

77. Based in part on the misrepresentations made in the forgiveness application, the SBA forgave the entirety of PPP loan number 80559785-04 and paid Capital Plus Financial \$147,712 in principal and an additional \$1,304.79 in interest.

b. WILLIAMS: PPP – U.D. CUSTOM PRINTING

78. On or about March 17, 2021, a coconspirator provided WILLIAMS'S personal identifying information and business information for U.D. Custom Printing to [REDACTED] for [REDACTED] to submit a fraudulent PPP application on WILLIAMS'S behalf.

79. WILLIAMS agreed to pay [REDACTED] \$5,000 for [REDACTED] role in the scheme.

80. On or about March 19, 2021, [REDACTED] submitted a PPP loan application for U.D. Custom Printing on WILLIAMS'S behalf to Capital Plus Financial (PPP – U.D. CUSTOM PRINTING). PPP – U.D. CUSTOM PRINTING was received by servers in Oregon and then transmitted to servers in Virginia.

81. PPP – U.D. Custom Printing listed [REDACTED] email address and a phone number attributable to [REDACTED]

82. The DocuSign completion certificate for PPP – U.D. Custom Printing was signed by GUID1.

83. The IP address associated with the DocuSign completion certificate for PPP – U.D. Custom Printing is attributable to [REDACTED]

84. The DocuSign Promissory Note in PPP – U.D. Custom Printing was signed by GUID1.

85. In PPP – U.D. CUSTOM PRINTING, [REDACTED] on behalf of WILLIAMS, knowingly made the following materially false statements and representations in furtherance of obtaining loan proceeds:

- d. UD Custom Printing employed 11 people;
- e. UD Custom Printing had an average monthly payroll of \$58,393; and
- f. UD Custom Printing was established on June 1, 2018.

86. In support of PPP – U.D. CUSTOM PRINTING, [REDACTED] on behalf of WILLIAMS, submitted what purported to be the IRS Form 940 for 2020 WILLIAMS filed with the IRS on behalf of U.D. Custom Printing, reporting total payments to all employees of \$714,870.41. This form was never filed with the IRS.

87. Based in part on the misrepresentations provided in PPP U.D. CUSTOM PRINTING, on or about April 2, 2021, Capital Plus Financial approved and funded PPP loan number 82970786-06 for \$145,982 to WILLIAMS'S USAA account.

88. After receiving the proceeds of PPP loan number 82970786-06, WILLIAMS transferred \$145,000 of the \$145,982 proceeds of PPP – U.D. CUSTOM PRINTING to his personal USAA account ending in 8383 and then transferred \$100,000 to his personal Bank of America account ending in 5064. After transferring the funds to his Bank of America account ending in 5064, WILLIAMS paid [REDACTED] \$37,000 and spent some of the funds on personal expenses, including paying credit accounts and paying \$50,000 to a third-party.

89. On or about April 9, 2021, the SBA paid Capital Plus Financial \$7,299 in lender fees for funding PPP loan number 82970786-06.

90. On or about January 4, 2022, WILLIAMS submitted a forgiveness application for PPP loan number 82970786-06. This forgiveness application was received by servers in Oregon and then transmitted to servers in Virginia.

91. In this forgiveness application, WILLIAMS knowingly made the following materially false statements and representations:

A. U.D. Custom Printing had 11 employees at the time of the forgiveness application; and

B. The entire \$145,982 received under PPP loan number 82970786-06 was spent on payroll.

92. Based in part on the misrepresentations made in the forgiveness application, the SBA forgave the entirety of PPP loan number 82970786-06 and paid Capital Plus Financial \$145,982 in principal and an additional \$1,184.08 in interest.

II. WELLS'S FRAUDULENT PPP LOANS

a. WELLS: PPP – SHOE SOLDIER

93. In or about April or March 2021, WELLS provided her personal identifying information and business information about Shoe Soldier to a coconspirator for [REDACTED] to submit a fraudulent PPP application on WELLS'S behalf.

94. WELLS agreed to pay WILLIAMS for his role in the scheme.

95. On or about March 13, 2021, [REDACTED] submitted a PPP loan application for Shoe Soldier on WELLS'S behalf to Capital Plus Financial (PPP – SHOE SOLDIER). PPP – SHOE SOLDIER was received by servers in Oregon and then transmitted to servers in Virginia.

96. PPP – SHOE SOLDIER listed [REDACTED] email address and a phone number attributable to [REDACTED]

97. The DocuSign completion certificate for PPP – SHOE SOLDIER was signed by GUID1.

98. The IP address associated with the DocuSign completion certificate for PPP – SHOE SOLDIER is attributable to [REDACTED]

99. The DocuSign Promissory Note in PPP – SHOE SOLDIER was signed by GUID1.

100. On PPP – SHOE SOLDIER, [REDACTED] on behalf of WELLS, knowingly made the following material misrepresentations:

- A. Shoe Soldier employed 9 people;
- B. Shoe Soldier had an average monthly payroll of \$58,380; and
- C. Shoe Soldier was established on June 2, 2015.

101. In support of PPP – SHOE SOLDIER, [REDACTED], on behalf of WELLS, submitted what purported to be the IRS Form 940 for 2020 WELLS filed with the IRS on behalf of Shoe Soldier, reporting total payments to all employees of \$705,756.49. That form was never filed with the IRS.

102. Based in part on the misrepresentations provided in PPP – SHOE SOLDIER, on or about March 18, 2021, Capital Plus Financial approved and funded PPP loan number 27644586-05 for \$145,950 to WELLS'S USAA bank account.

103. On or about March 26, 2021, WELLS paid WILLIAMS \$45,000.

104. On or about June 9, 2021, WELLS transferred \$100,000 of the fraudulent proceeds to BENNETT, who spent most of the proceeds to remodel her and WELLS'S home.

105. On or about March 31, 2021, the SBA paid Capital Plus Financial \$7,298 in lender fees for funding PPP loan number 27644586-05.

106. On or about January 4, 2022, WELLS submitted or caused to be submitted a forgiveness application for PPP loan number 27644586-05. This forgiveness application was received by servers in Oregon and then transmitted to servers in Virginia.

107. In this forgiveness application, WELLS knowingly made or caused to be made the following materially false statements and representations:

- A. Shoe Soldier had 9 employees at the time of the forgiveness application; and
- B. The entire \$145,950 received under PPP loan number 27644586-05 was spent on payroll.

108. Based in part on the misrepresentations made in this forgiveness application, the SBA approved the forgiveness application and paid Capital Plus Financial \$145,950 in principal and \$1,220.30.

b. WELLS: PPP – METRO ACCESZORIEZ

109. In or about March or April, 2021, WELLS provided her personal identifying information and business information about Metro Acceszoriez to a coconspirator for ██████████ to submit a fraudulent PPP application on WELLS'S behalf.

110. WELLS agreed to pay WILLIAMS for his role in the scheme.

111. On or about April 5, 2021, ██████████ submitted a PPP loan application for Metro Acceszoriez on WELLS'S behalf to Capital Plus Financial (PPP – METRO ACCESZORIEZ). PPP – METRO ACCESZORIEZ was received by servers in Oregon and then transmitted to servers in Virginia.

112. PPP – METRO ACCESZORIEZ listed ██████████ email address.

113. The DocuSign completion certificate for PPP – METRO ACCESZORIEZ was signed by GUID1.

114. The IP address associated with the DocuSign completion certificate for PPP – METRO ACCESZORIEZ is attributable to [REDACTED]

115. The DocuSign Promissory Note in PPP – METRO ACCESZORIEZ was signed by GUID1.

116. On PPP – METRO ACCESZORIEZ, [REDACTED] on behalf of WELLS, knowingly made the following material misrepresentations:

- a. Metro Acceszoriez employed 9 people;
- b. Metro Acceszoriez had an average monthly payroll of \$58,496; and
- c. Metro Acceszoriez was established on March 7, 2017.

117. In support of those misrepresentations, [REDACTED] on behalf of WELLS, submitted what purported to be the IRS Form 940 for 2020 WELLS filed with the IRS on behalf of Metro Acceszoriez, reporting total payments to all employees of \$701,952.34. This form was never filed with the IRS.

118. Based in part on the misrepresentations provided in PPP – METRO ACCESZORIEZ, on or about April 19, 2021, Capital Plus Financial approved and funded PPP loan number 36847388-07 for \$146,240 to WELLS'S Navy Federal Credit Union bank account.

119. Navy Federal Credit Union conducted internal due diligence and flagged the second deposit, noting the account had never been used as a business account, and identifying PPP Loan proceeds were intended for business use. NFCU identified fraud flags associated with the deposit, ultimately returning the loan proceeds to Capital Plus Financial.

120. On or about June 11, 2021, the SBA paid Capital Plus Financial \$7,312 in lender fees for funding PPP loan number 36847388-07.

III. BENNETT'S FRAUDULENT PPP LOANS

a. BENNETT: PPP – WELLS CONSULTING

121. On or about March 30, 2021, BENNETT provided her personal identifying information and business information about Wells Consulting to a coconspirator, who facilitated [REDACTED] to submit a fraudulent PPP application on BENNETT'S behalf.

122.

123. On or about April 5, 2021, [REDACTED] submitted a PPP loan application for Wells Consulting on BENNETT'S behalf to Capital Plus Financial (PPP – WELLS CONSULTING). PPP – WELLS CONSULTING was received by servers in Oregon and then transmitted to servers in Virginia.

124. PPP – WELLS CONSULTING listed [REDACTED] email address.

125. In PPP – WELLS CONSULTING, [REDACTED], on behalf of BENNETT, knowingly made the following materially false statements and representations in furtherance of obtaining loan proceeds:

- A. Wells Consulting employed 9 people; and
- B. Wells Consulting had an average monthly payroll of \$58,235.
- C. Wells Consulting was established in 2017.

126. In support of those misrepresentations, [REDACTED] on behalf of BENNETT, submitted what purported to be the IRS Form 940 for 2020 BENNETT had filed with the IRS on behalf of Wells Consulting, reporting total payments to all employees of \$698,827.18. This form was never filed with the IRS.

127. [REDACTED] on behalf of BENNETT, submitted a payroll report for Wells Consulting for 2020, wherein he falsely claimed the company had nine employees, including BENNETT, and that the business paid \$698,827.18 in total wages during that period.

128. On or about May 1, 2021, Capital Plus Financial declined PPP – WELLS CONSULTING, which attempted to obtain \$145,587 in proceeds.

b. BENNETT: PPP – BE WELL WITH DR. WELLS

129. On or about April 27, 2021, BENNETT provided her personal identifying information and business information about Be Well with Dr. Wells to [REDACTED] for [REDACTED] to submit a fraudulent PPP application on BENNETT'S behalf.

130. BENNETT agreed to pay WILLIAMS for his role in the scheme.

131. On or about April 30, 2021, [REDACTED] submitted a PPP loan application for Be Well with Dr. Wells on BENNETT'S behalf to Capital Plus Financial (PPP – BE WELL WITH DR. WELLS). PPP – BE WELL WITH DR. WELLS was received by servers in Oregon and then transmitted to servers in Virginia.

132. PPP – BE WELL WITH DR. WELLS listed [REDACTED] email address.

133. In PPP – BE WELL WITH DR. WELLS, [REDACTED], on behalf of BENNETT, knowingly made the following materially false statements and representations in furtherance of obtaining loan proceeds:

- A. Be Well with Dr. Wells employed 173 people;
- B. Be Well with Dr. Wells had an average monthly payroll of \$709,746; and
- C. Be Well with Dr. Wells was established on April 23, 2017.

134. In support of those misrepresentations, [REDACTED], on behalf of BENNETT, submitted what purported to be the IRS Form 940 for 2020 BENNETT had filed with the IRS on

behalf of Be Well with Dr. Wells, reporting total payments to all employees of \$8,516,961. This form was never filed with the IRS.

135. [REDACTED] on behalf of BENNETT, submitted a payroll report for Be Well with Dr. Wells for 2020, wherein he falsely claimed the company had numerous employees, including BENNETT and WELLS, and that the business paid \$8,516,961 in total wages during that period.

136. On January 7, 2022, Capital Plus Financial declined PPP – BE WELL WITH DR. WELLS, which attempted to obtain \$1,774,365 in proceeds.

c. BENNETT: PPP – NIKKIA BENNETT CONSULTING

137. On or about May 5, 2021, BENNETT provided her personal identifying information and business information about Nikkia Bennett Consulting to [REDACTED] for [REDACTED] to submit a fraudulent PPP application on BENNETT'S behalf.

138. BENNETT agreed to pay WILLIAMS for his role in the scheme.

139. On or about May 10, 2021, [REDACTED] submitted a PPP loan application for Nikkia Bennett Consulting on BENNETT's behalf to Capital Plus Financial (PPP – NIKKIA BENNETT CONSULTING). PPP – NIKKIA BENNETT CONSULTING was received by servers in Oregon and then transmitted to servers in Virginia.

140. PPP – NIKKIA BENNETT CONSULTING listed [REDACTED] email address.

141. In PPP – NIKKIA BENNETT CONSULTING, [REDACTED] on behalf of BENNETT, knowingly made the following materially false statements and representations in furtherance of obtaining loan proceeds:

- A. Nikkia Bennett Consulting employed 46 people;
- B. Nikkia Bennett Consulting had an average monthly payroll of \$168,488; and
- C. Nikkia Bennett Consulting was established on March 8, 2018.

142. In support of those misrepresentations, [REDACTED], on behalf of BENNETT, submitted what purported to be a letter from the IRS assigning Nikkia Bennett Consulting EIN 86-2476683 on March 8, 2018. This form was a document created by BENNETT and her coconspirators to substantiate the false representations on PPP – NIKKIA BENNETT CONSULTING. In fact, the IRS assigned that EIN to Wells Consulting on March 8, 2021.

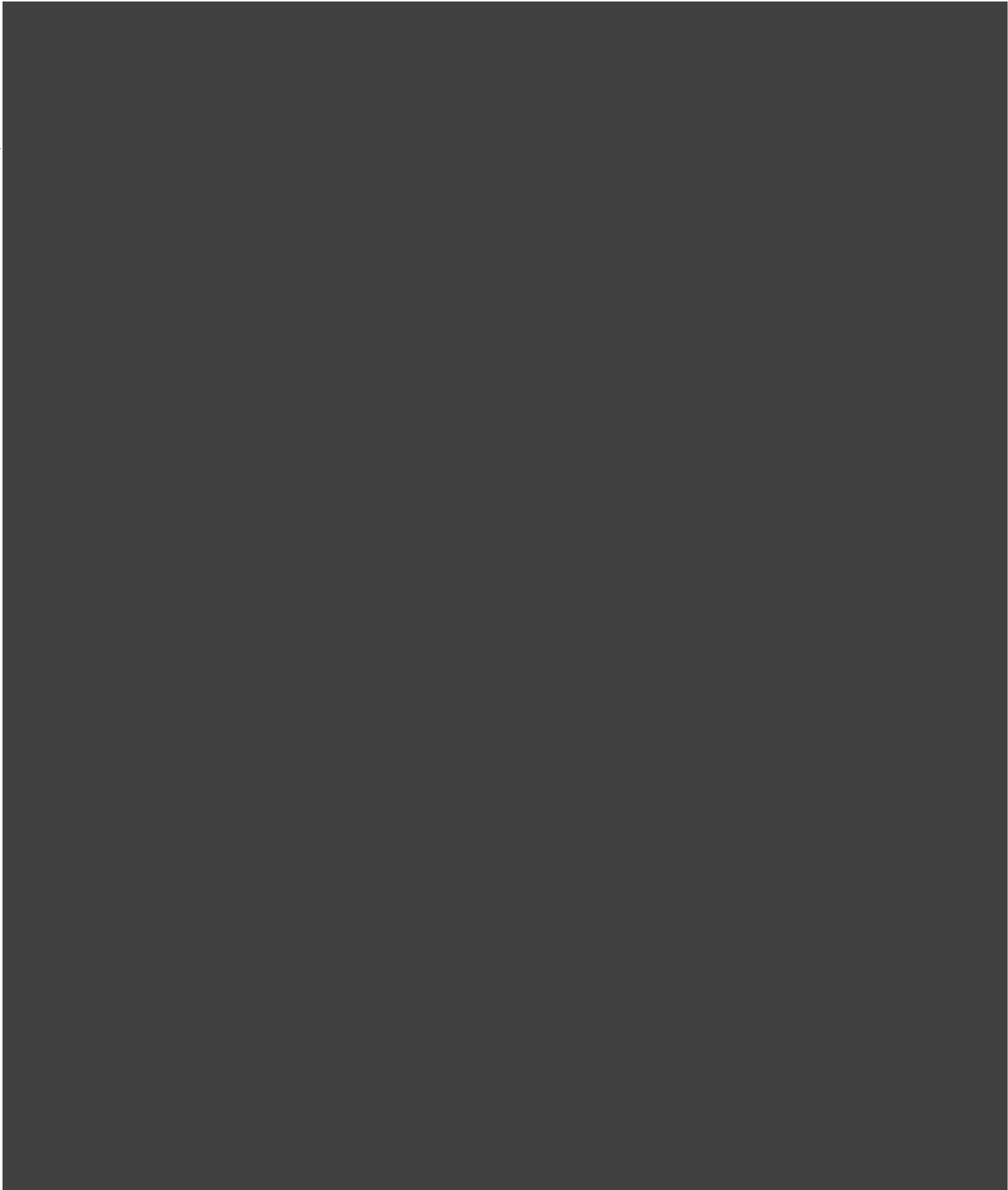
143. In support of those misrepresentations, [REDACTED], on behalf of BENNETT, submitted what purported to be the IRS Form 940 for 2020 BENNETT had filed with the IRS on behalf of Nikkia Bennett Consulting. This form was never filed with the IRS.

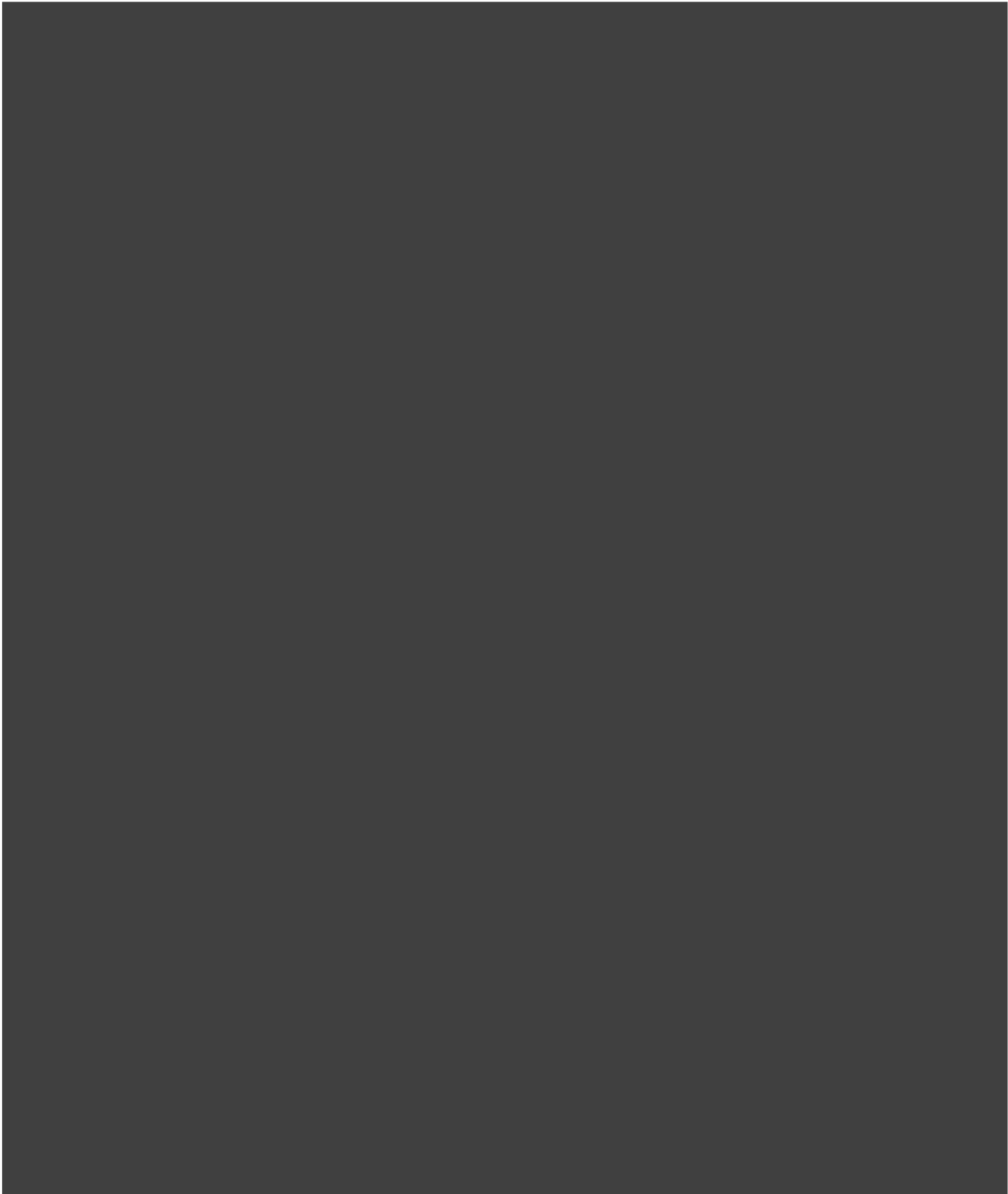
144. [REDACTED] on behalf of BENNETT, submitted a payroll report for Nikkia Bennett Consulting for 2020, wherein he falsely claimed employed forty-six people, including BENNETT, and that the business paid \$2,021,850 in total wages during that period.

145. On May 12, 2021, PPP – NIKKIA BENNETT CONSULTING was declined.

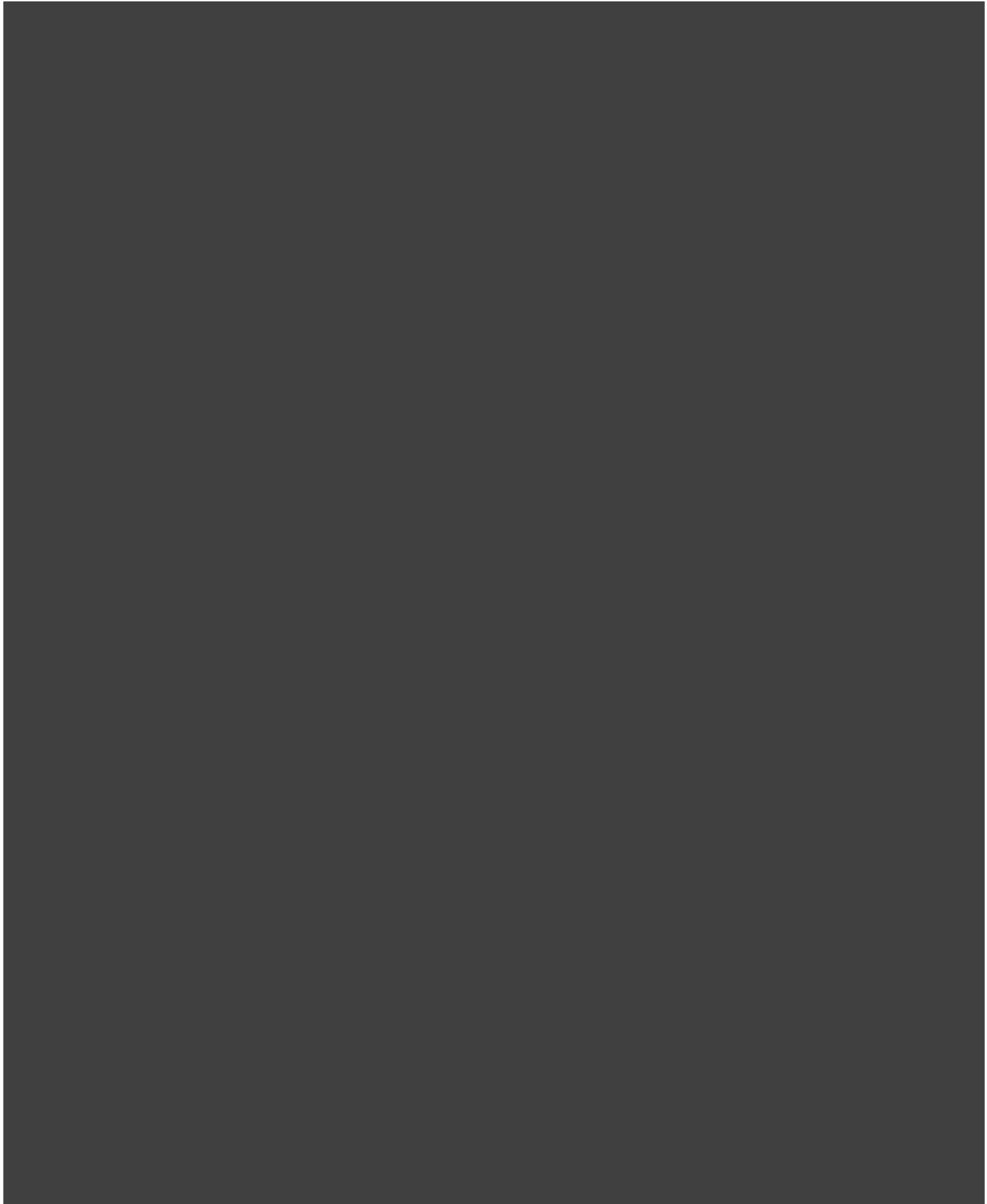


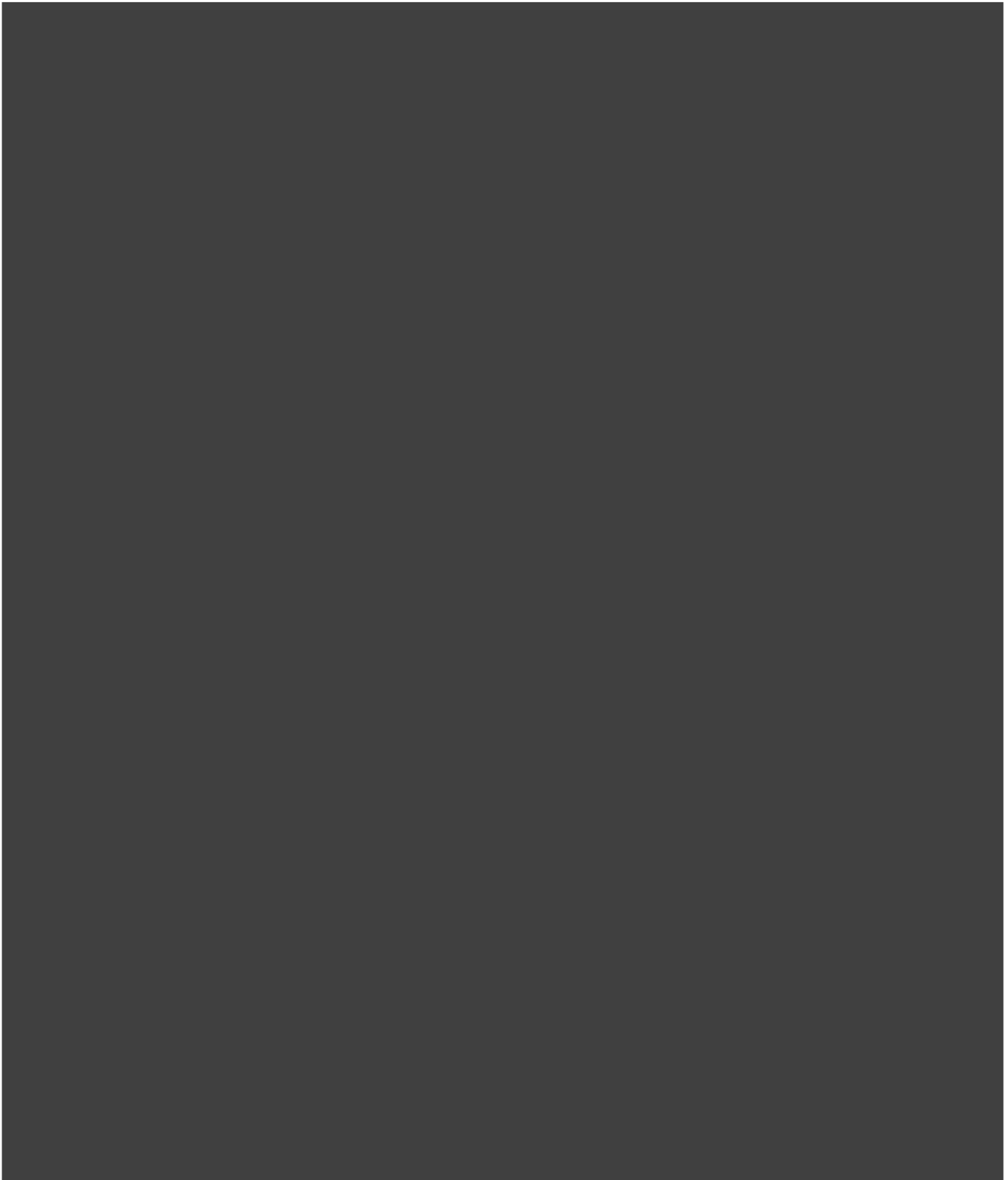


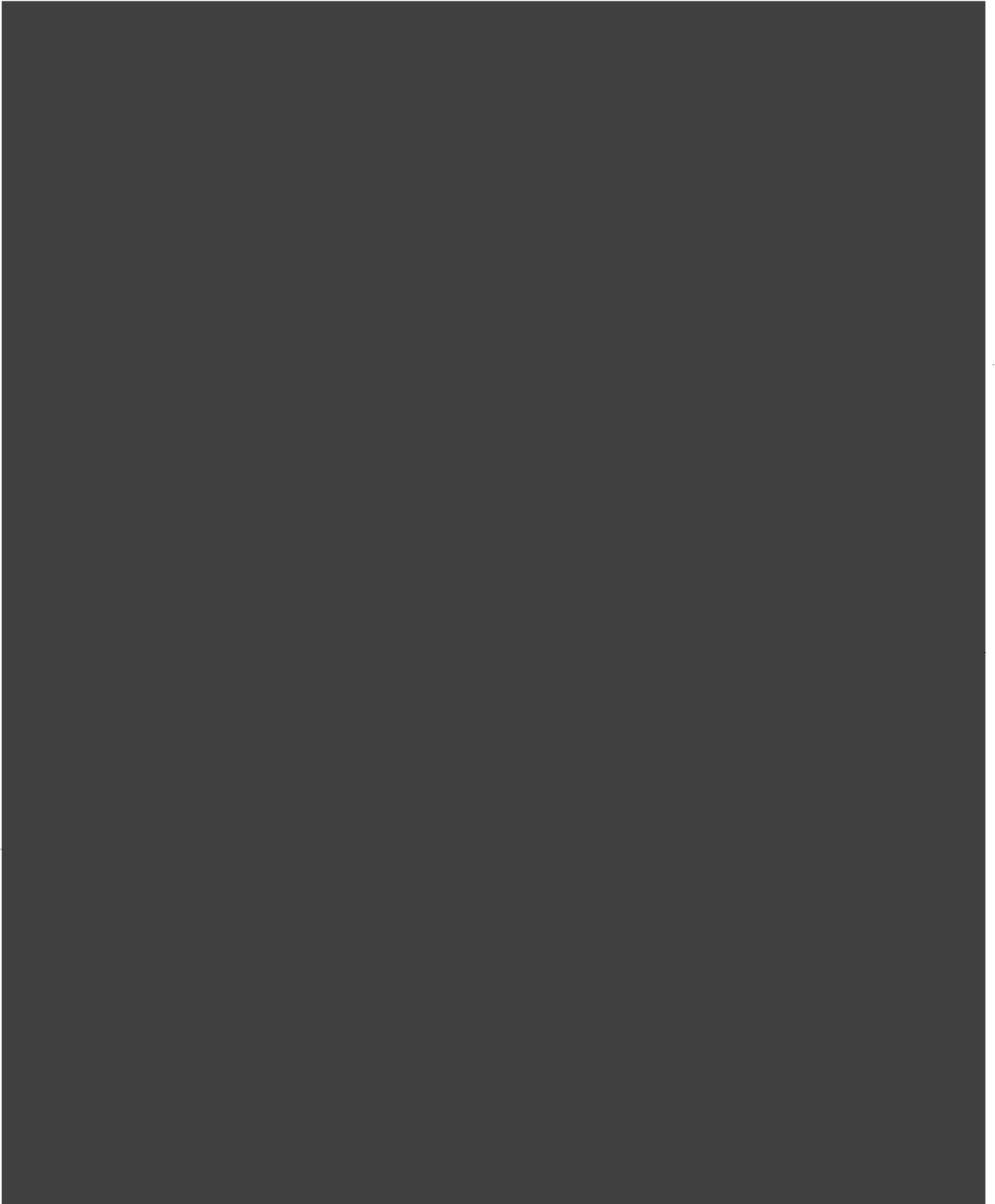


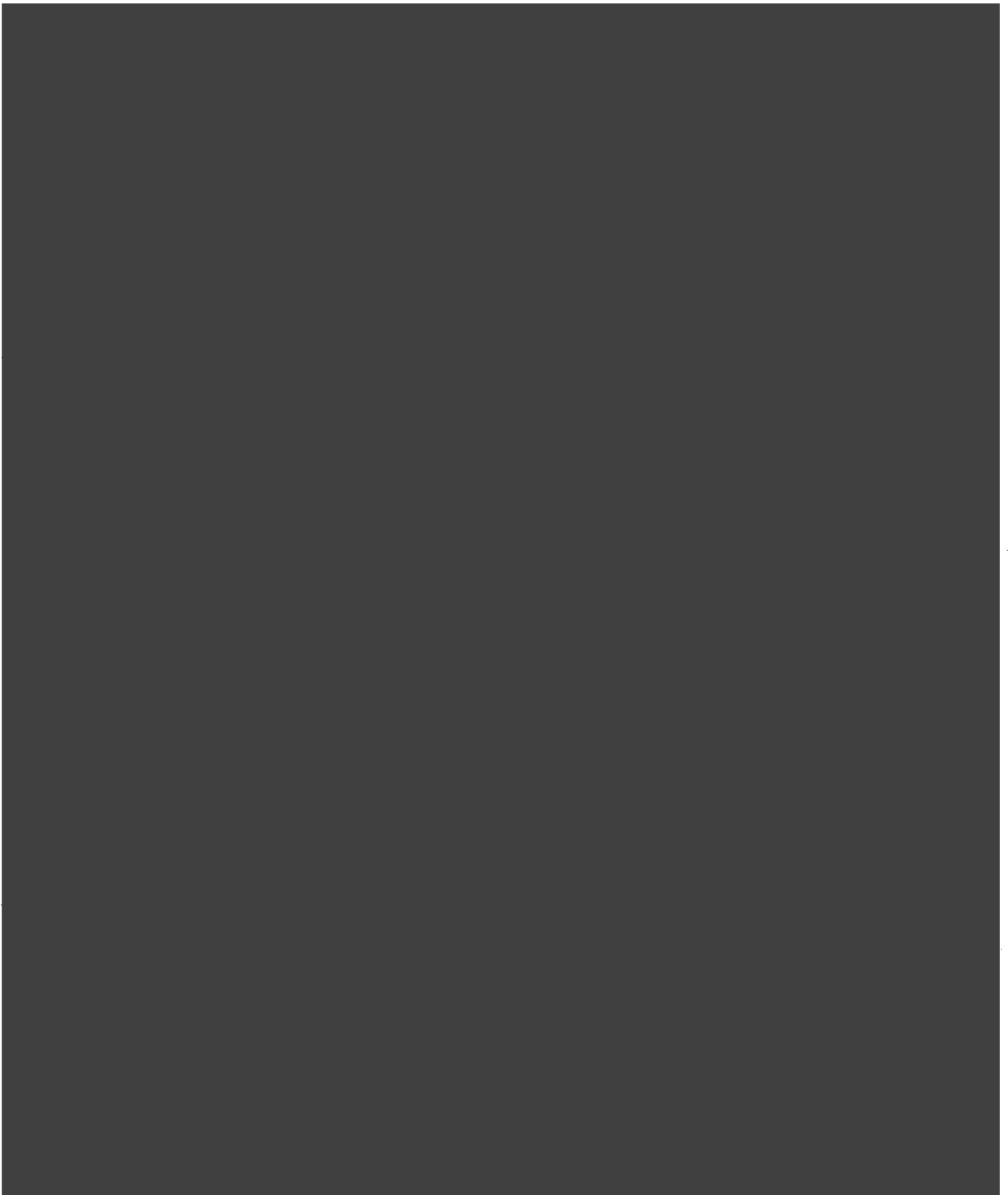


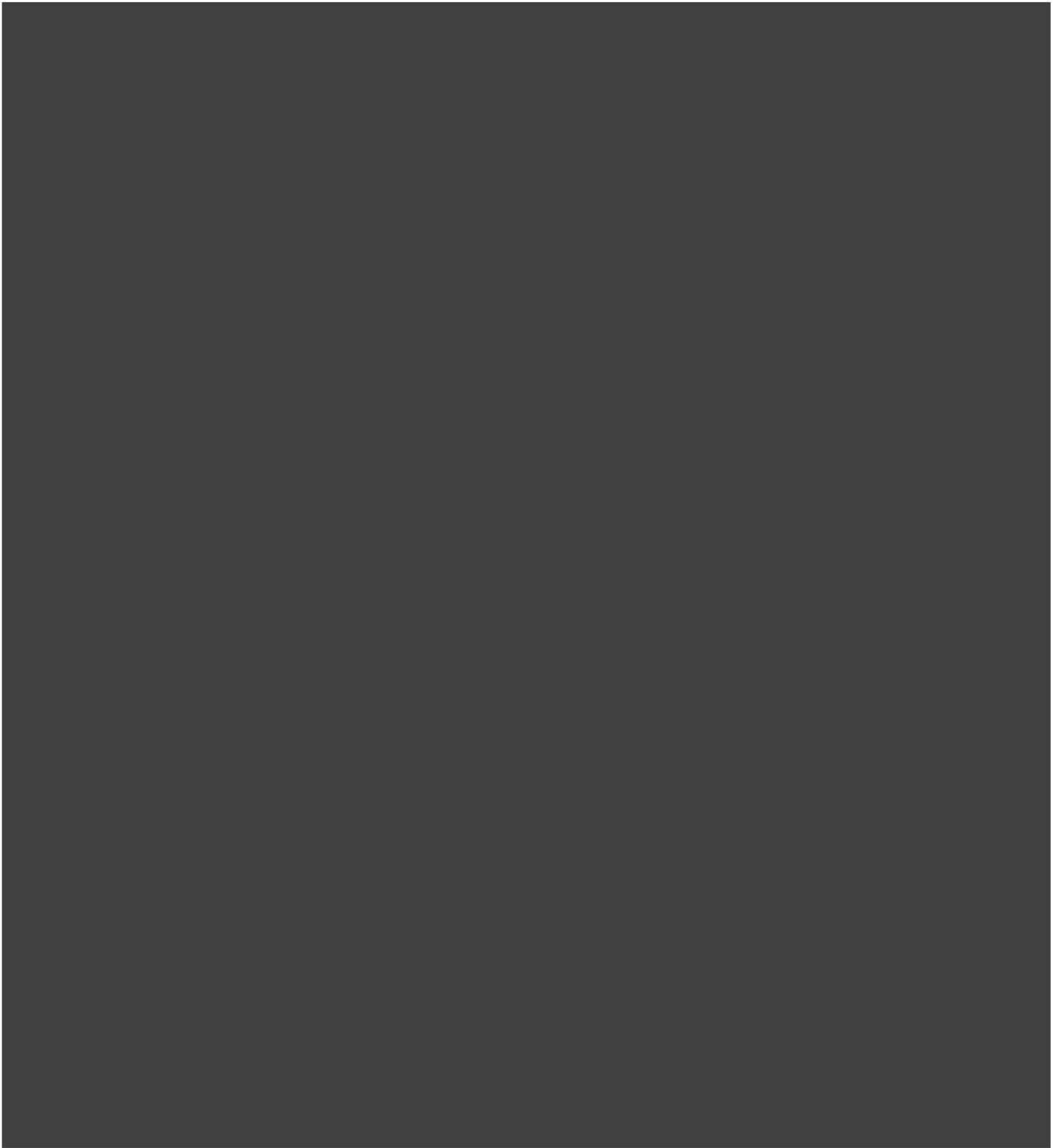


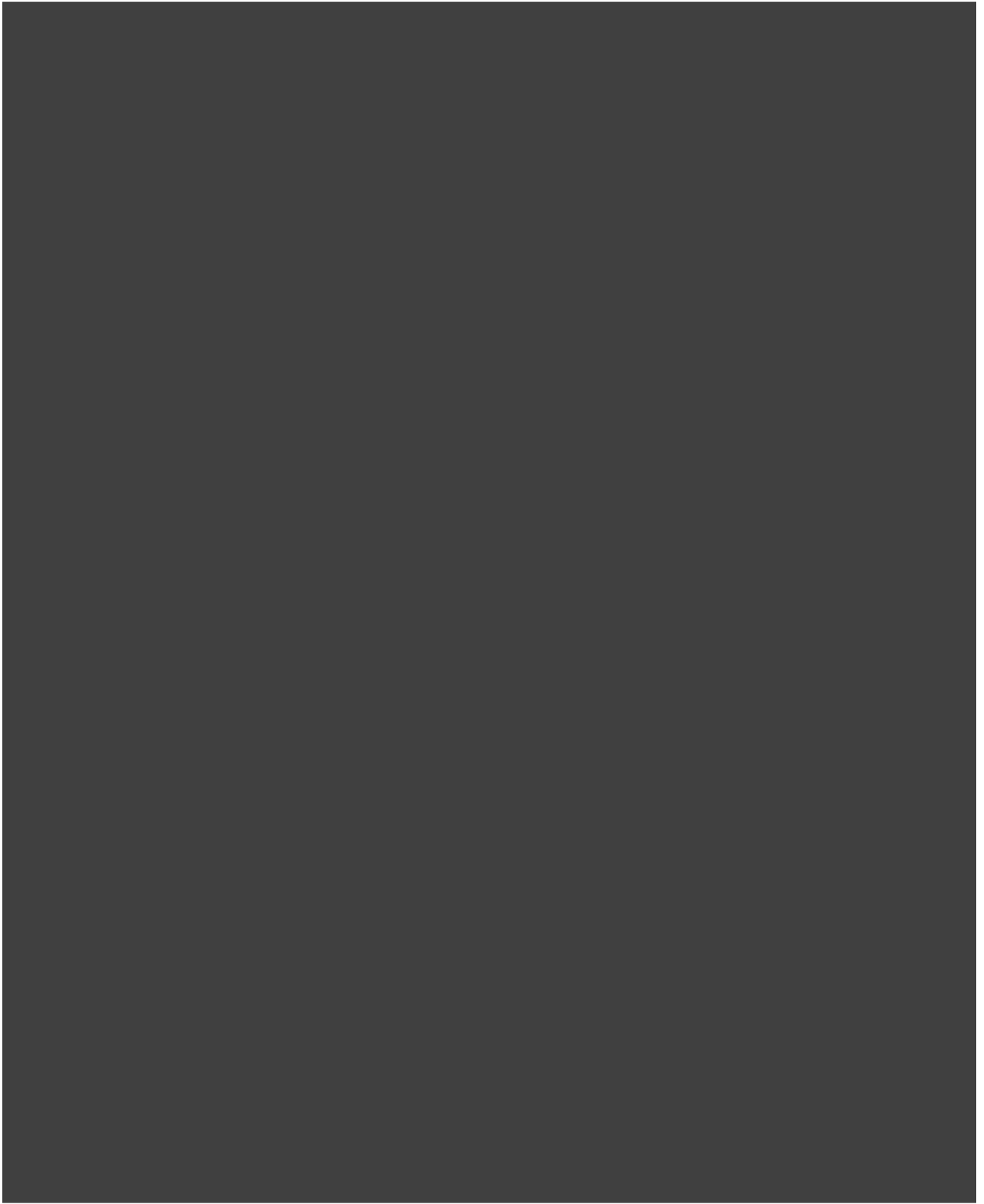














CONSPIRACY TO COMMIT WIRE FRAUD
(ALL DEFENDANTS)

219. The allegations in paragraphs 1 through 218 of this First Superseding Indictment are incorporated as though realleged herein.

220. From not later than on or about January 2021, and continuing through at least on or about March 2022, in the District of Oregon and elsewhere, defendants NIKKIA BENNETT, [REDACTED] LYNISHA WELLS, and FREDRICO WILLIAMS, and unnamed coconspirators, known and unknown, knowingly conspired, combined, confederated, and agreed with each other to devise a scheme to commit the offense of Wire Fraud in violation of Title 18, United States Code, Section 1343.




All in violation of Title 18, United States Code, Section 1349.

COUNTS 2-22
(Wire Fraud)
(18 U.S.C. §§ 1343, 2(a))

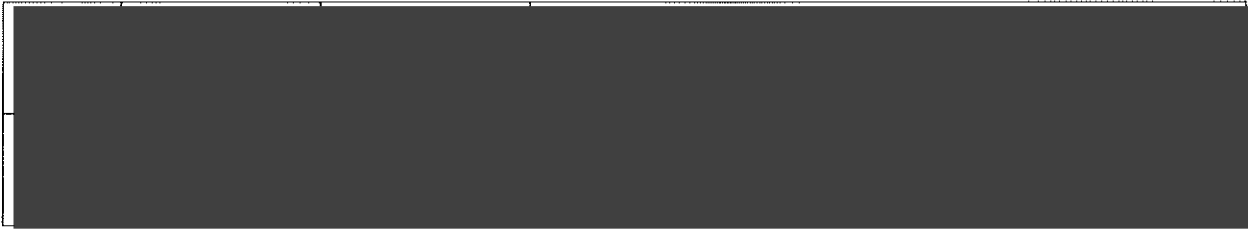
221. The allegations in paragraphs 1 through 218 of this First Superseding Indictment are incorporated as though realleged herein.

222. On or about the dates set forth below in each count, in the District of Oregon and elsewhere, defendants identified below, aiding and abetting each other, for purposes of attempting to execute and executing the above-described material scheme to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, knowingly caused the following communications via interstate wire:

Count	Defendant	Approximate Date	Interstate Transmission
2	FREDRICO WILLIAMS/ [REDACTED]	March 19, 2021	PPP – U.D. CUSTOM PRINTING was submitted through servers in Oregon and then routed to servers in Virginia.
3	FREDRICO WILLIAMS	January 4, 2022	Forgiveness Application for PPP – U.D. CUSTOM PRINTING was submitted through servers in Oregon and then routed to servers in Virginia.
4	FREDRICO WILLIAMS/ [REDACTED]	March 4, 2021	PPP – FREDRICO WILLIAMS was submitted through servers in Oregon and then routed to servers in Virginia.
5	FREDRICO WILLIAMS	January 14, 2022	Forgiveness Application for PPP – FREDRICO WILLIAMS was submitted through servers in Oregon and then routed to servers in Virginia.
6	LYNISHA WELLS/ FREDRICO WILLIAMS/ [REDACTED]	March 13, 2021	PPP – SHOE SOLDIER was submitted through servers in Oregon and then routed to servers in Virginia.
7	LYNISHA WELLS/ FREDRICO WILLIAMS/ [REDACTED]	April 5, 2021	PPP – METRO ACCESZORIEZ was submitted through servers in Oregon and then routed to servers in Virginia.
8	LYNISHA WELLS	January 4, 2022	Forgiveness Application for PPP – SHOE SOLDIER was submitted through servers in Oregon and then routed to servers in Virginia.

9	NIKKIA BENNETT/ FREDRICO WILLIAMS/ 	April 5, 2021	PPP – WELLS CONSULTING was submitted through servers in Oregon and then routed to servers in Virginia
10	NIKKIA BENNETT/ FREDRICO WILLIAMS/ 	April 30, 2021	PPP – BE WELL WITH DR. WELLS was submitted through servers in Oregon and then routed to servers in Virginia
11	NIKKIA BENNETT/ FREDRICO WILLIAMS/ 	May 10, 2021	PPP – NIKKIA BENNETT CONSULTING was submitted through servers in Oregon and then routed to servers in Virginia.





All in violation of Title 18, United States Code, Section 1343.

COUNT 23
(Conspiracy to Commit Money Laundering)
(18 U.S.C. § 1956(h))
(ALL DEFENDANTS)

223. Paragraphs 1 through 35 and paragraphs 47-222 of the Manner and Means and Scheme to Defraud of Count 1, and Counts 2 through 22 are incorporated herein.

224. Beginning not later than in or about January 2021 and continuing through at least March 2022, in the District of Oregon and elsewhere, defendants ██████████ WILLIAMS, WELLS, and BENNETT and others, known and unknown, did knowingly combine, conspire, and agree with each other and with others, known and unknown, to knowingly engage and attempt to engage in monetary transactions in criminally derived property of a value greater than \$10,000, such property having been derived from a specified unlawful activity, that is, wire fraud.

MANNER AND MEANS OF THE CONSPIRACY

225. The manner and means used to accomplish the objectives of the conspiracy included, among others, the following:

226. ██████████ WILLIAMS, WELLS, and BENNETT and their co-conspirators engaged in the scheme to defraud set forth in Count 1 and submitted or caused the submission of fraudulent PPP applications via interstate wires as alleged in Counts 2 through 22.

227. ██████████ WILLIAMS, WELLS, and BENNETT, together with other co-conspirators, would transfer fraudulently obtained PPP loan proceeds amongst one another, and use those proceeds on personal expenses, including but not limited to, the transfers alleged in paragraphs 88, 103, and 104.

All in violation of 18 U.S.C. § 1956(h)

FIRST FORFEITURE ALLEGATION

1. Upon conviction of the conspiracy to commit wire fraud and wire fraud offenses alleged in Counts 1-22, defendant(s) shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) any property, real or personal, which constitutes or is derived from proceeds traceable to the violation(s), including but not limited to a money judgment for a sum of money equal to the amount of property involved in or derived from the offense(s). The property traceable to the violations includes, but is not limited to; the following:

- A. 1831 TORRANCE ST, SAN DIEGO, CA 921032718 SAN DIEGO COUNTY
- B. PARCEL #1422-00-002-008 VACANT LAND, CARSON CITY, NV 89705, DOUGLAS COUNTY
- C. NAUTIQUE BOAT, Identification Number: CTC08017G920, Year: 2020, Body: VS, WT-L-BHP: 22', Vessel Regis. No: FL0568SM, Title Number: 126011298
- D. VAC/VIC ALPINE AVENUE DRT /VIC, AGUA DULCE, CA 91350
- E. PARCEL #1322-00-001-028 GARDNERVILLE, NV 89410, DOUGLAS COUNTY
- F. 1653 CHALCEDONY ST, SAN DIEGO, CA 92109-3136, SAN DIEGO COUNTY
- G. 1678-1680 E. GRAND BLVD, DETROIT, MI 48211 WAYNE COUNTY
- H. 1620 RICHANDAVE AVE, EL CAJON CA 92019, SAN DIEGO COUNTY
- I. WATCH PURCHASED AT WATCH CHEST LLC ON MARCH 15, 2021 BY \$36,050 WIRE FROM SAN DIEGO COUNTY CREDIT UNION ACCOUNT 723249690.
- J. TRUCK CAMPER PURCHASED FROM KIMBO CAMPERS LLC, INV 183, PAID BY CHECK #1628 DATED MARCH 12, 2021 FOR \$28,647 FROM SAN DIEGO COUNTY CREDIT UNION ACCOUNT 723249690.

- K. GOLF CART PURCHASED AT SUNDANCE CUSTOM GOLF CARTS INC. ON AUGUST 10, 2021. PAID FOR WITH ACCREDITED, WELLS FARGO CHECK \$10887, DATES 8/10/2021 IN THE AMOUNT OF \$21,629.46.
- L. 2021 BOBCAT T66-N COMPACT TRACK LOADER WITH SERIAL NUMBER B4SB18943 WITH ATTACHED 74 INCH HEAVY DUTY BUCKET WITH SERIAL NUMBER 1251996 AND A 68 INCH INDUSTRIAL BUCKET GRAPPLE WITH SERIAL NUMBER AF0R09922 PURCHASED ON JULY 23, 2021 BY AN UNNAMED CO-CONSPIRATOR WITH A BANK OF AMERICA CASHIER'S CHECK FOR \$70,347.52 REMITTED TO BOBCAT OF NORTH TEXAS.

2. If the above-described forfeitable property, as a result of any act or omission of defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

SECOND FORFEITURE ALLEGATION

3. Upon conviction of the conspiracy to commit money laundering offense alleged in Count 23, defendant(s) shall forfeit to the United States pursuant to 18 U.S.C. § 982(a)(1) any property, real or personal, involved in the offense and all property traceable to such property, including but not limited to a money judgment for a sum of money equal to the amount of property involved in or derived from the offense. The property involved in and traceable to the violation includes, but is not limited to, the following:

- A. 1831 TORRANCE ST, SAN DIEGO, CA 921032718 SAN DIEGO COUNTY
- B. PARCEL #1422-00-002-008 VACANT LAND, CARSON CITY, NV 89705, DOUGLAS COUNTY
- C. NAUTIQUE BOAT, Identification Number: CTC08017G920, Year: 2020, Body: VS, WT-L-BHP: 22', Vessel Regis. No: FL0568SM, Title Number: 126011298
- D. VAC/VIC ALPINE AVENUE DRT /VIC, AGUA DULCE, CA 91350
- E. PARCEL #1322-00-001-028 GARDNERVILLE, NV 89410, DOUGLAS COUNTY
- F. 1653 CHALCEDONY ST, SAN DIEGO, CA 92109-3136, SAN DIEGO COUNTY
- G. 1678-1680 E. GRAND BLVD, DETROIT, MI 48211 WAYNE COUNTY
- H. 1620 RICHANDAVE AVE, EL CAJON CA 92019, SAN DIEGO COUNTY
- I. WATCH PURCHASED AT WATCH CHEST LLC ON MARCH 15, 2021 BY \$36,050 WIRE FROM SAN DIEGO COUNTY CREDIT UNION ACCOUNT 723249690.
- J. TRUCK CAMPER PURCHASED FROM KIMBO CAMPERS LLC, INV 183, PAID BY CHECK #1628 DATED MARCH 12, 2021 FOR \$28,647 FROM SAN DIEGO COUNTY CREDIT UNION ACCOUNT 723249690.
- K. GOLF CART PURCHASED AT SUNDANCE CUSTOM GOLF CARTS INC. ON AUGUST 10, 2021. PAID FOR WITH ACCREDITED, WELLS FARGO CHECK \$10887, DATES 8/10/2021 IN THE AMOUNT OF \$21,629.46.
- L. 2021 BOBCAT T66-N COMPACT TRACK LOADER WITH SERIAL NUMBER B4SB18943 WITH ATTACHED 74 INCH HEAVY DUTY BUCKET WITH SERIAL NUMBER 1251996 AND A 68 INCH INDUSTRIAL BUCKET GRAPPLE WITH SERIAL NUMBER AF0R09922 PURCHASED ON JULY 23, 2021 BY AN UNNAMED CO-CONSPIRATOR WITH A BANK OF AMERICA CASHIER'S CHECK FOR \$70,347.52 REMITTED TO BOBCAT OF NORTH TEXAS.

4. If the above-described forfeitable property, as a result of any act or omission of defendants:

- f. cannot be located upon the exercise of due diligence;
- g. has been transferred or sold to, or deposited with, a third party;
- h. has been placed beyond the jurisdiction of the court;
- i. has been substantially diminished in value; or

j. has been commingled with other property which cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b).

Dated: August 20, 2024

A TRUE BILL.



OFFICIATING FOREPERSON

Presented by:

NATALIE K. WIGHT
United States Attorney

A handwritten signature in black ink, appearing to be 'Meredith D.M. Bateman', written over a horizontal line.

MEREDITH D.M. BATEMAN, OSB #192273
ROBERT S. TRISOTTO, NYB #4784203
Assistant United States Attorneys